Serial No. 10/826,646
Art Unit: 1751

REMARKS

Applicants respectfully request that the amendments be entered in the specification. The amendments to the specification are of an editorial nature to correct minor errors which occurred during preparation of the application. In particular, at page 2, the formula shown at lines 20-24 has been amended to substitute z for one of the subscripts x. This is consistent with the rest of the specification and is supported in the original German application in both the specification and the claims. Applicants therefore respectfully submit that the amendments to the specification do not enter new matter but are of an editorial nature to correct minor errors which occurred during preparation of the application.

The claims have been amended to more fully set forth the process of the present invention. Claim 36 has been amended to indicate that the textile fibers are contacted with an aqueous composition comprising a compound of the formula (I) and at least one member selected from the group consisting of textile fiber cleaning surfactants and textile fiber softening agents and drying the textile fibers.

Claim 37 has been amended to substitute the subscript z for one of the subscripts x in the formula (II). Applicants respectfully submit that the amendments to the claims are fully supported in the specification and claims as originally filed and in the German priority document. Applicants respectfully submit that the amendments to the claims merely correct a minor error which occurred during preparation of the application. Favorable consideration of the amended claims is respectfully requested in view of the following discussion.

Serial No. 10/826,646
Art Unit: 1751

Applicants herewith elect with traverse the compound wherein R is C-C-C; AO is C3H60 (propylene oxide residues); each R' and R" is OC-CH2-S-SO3M wherein M is sodium and the sum of x+y+z = 50. Applicants respectfully submit that claims 36-39, 41-47 and 49-55 read on the elected species. Applicants respectfully request that claims 46 and 47 be examined since they also read on the elected species.

Applicants respectfully submit that the requirement for election of species is untenable in view of the close relationship between all of the compounds presently claimed. The compounds claimed for use in the process comprise a small group of closely related compounds which can be examined without undue difficulty. Applicants therefore respectfully request that the requirement for restriction be reconsidered and withdrawn.

Claims 36-39, 41-45 and 49-55 stand rejected under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Benisek et al. (US 4,448,817). Applicants respectfully submit that Benisek et al. neither teaches nor suggests the present invention.

As presently claimed, the invention is a process for reducing pilling of textile fibers. The process comprises contacting the fibers with an aqueous composition containing (a) a compound of the formula (I); (b) at least one member selected from the group consisting of textile fiber cleaning surfactants and textile fiber softening agents; and drying the textile fibers whereby pilling of the fibers is reduced.

In contrast to the present invention, Benisek et al. is directed to a method for finishing textiles to provide shrink resistant and flame retardant properties. The textile is

first contacted with a composition containing at least two thiosulphate groups per molecule and a chlorine containing polymer, curing the thiosulphate containing composition and the chlorine containing polymer by heating the treated textile fibers then contacting the textile fibers comprising the cured polymeric materials with a potassium titanate bath at a acid pH. Treated textiles are then rinsed and dried. Applicants respectfully submit that Benisek et al. neither teaches nor suggests the present invention.

As presently claimed, the method of the present invention comprises contacting the textile fibers with a composition containing the sulfur containing compound and at least one of a textile cleaning surfactant or a textile softening composition. The treated textile fibers are then dried. There is no curing step involved in the process of the present invention nor an additional treatment with a titanium containing compound to add fire resistance to the textile fiber.

As shown in the examples in the present application, the treatment of the present invention does not make the textile fabric shrink proof but effects the pilling properties of the textile fibers. Applicants invite the Examiner's attention to Example 1, pg. 7, lines 2-10, Example 2, page 8, lines 16-26 and Example 3, pg. 9, last three lines through page 10, first seven lines. Applicants therefore respectfully submit that the method of the present invention which does not shrink proof or provide fire resistance to the textile fibers is far different than the process disclosed in Benisek et al. Applicants are not certain whether the anti-shrink effect is due to utilizing both the sulfur containing compound and a chlorine containing polymer and curing the composition after application to the textile fibers However, Applicants respectfully submit that Benisek et al. produces a product which is far different from the treated textile fibers of the present invention. The Benisek et al. process produces a shrink-resistant and fireproof textile fiber with no mention of an improvement in the pilling effect of the fiber.

In contrast to the teachings of Benisek et al., the present invention does not produce a shrink proof, fire resistant textile fiber. The process of the present invention differs from the Benisek et al. process in that there is no application of a chlorine containing polymer

and curing of the sulphur containing compound and the chlorine containing compound which has been applied to the textile fiber.

Applicants respectfully submit that there is neither teaching nor suggestion in Benisek et al. to remove the chlorine containing polymer from the fiber and eliminate the curing step from the process. Applicants therefore respectfully submit that the present invention is neither taught or suggested by Benisek et al. and a rejection under 35 USC 102(b) or 35 USC 103(a) over Benisek et al. is untenable and Applicants respectfully request that the rejection be reconsidered and withdrawn.

Respectfully submitted,

Daniel S. Ortiz

Daniel S. Ortiz
(Reg. No. 25,123)
Attorney for Applicants
(215) 628-1141

Cognis Corporation, Patent Dept.
300 Brookside Avenue
Ambler, PA 19002

DSO/ras

H:\AMEND\C2827.REST-RESP-#2.DOC